

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/797,876  
Applicants: Dip et al.  
Art Unit: 2811  
Examiner: Matthews, Colleen Ann  
Title: SILICON GERMANIUM SURFACE LAYER FOR HIGH-K  
DIELECTRIC INTEGRATION  
Attorney Docket: TPS-007  
Confirmation No.: 5070

September 10, 2009

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed June 10, 2009, finally rejecting claims 1-8, 10-11, 13-20, and 26-28.

The item(s) checked below are appropriate:

X 4. If any additional fee for extension or appeal is required, or if any overpayment is made, either charge or credit Deposit Account No. 23 - 3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: /Kevin E. Kuehn/  
Kevin E. Kuehn, Reg. No. 51,904